

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERT ROYCE BYFORD,
Petitioner,
v.
JEREMY BEAN, *et al.*,
Respondents.

Case No. 3:11-cv-00112-JCM-CSD

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 212)**

In this capital habeas corpus action, on March 15, 2023, the respondents filed their answer (ECF No. 198), and on August 29, 2024, the petitioner, Robert Royce Byford, who is represented by appointed counsel, filed his reply (ECF No. 209). Along with his reply, Byford also filed a motion for leave to conduct discovery (ECF No. 210) and a motion for an evidentiary hearing (ECF No. 211). The respondents were then due to file responses to the reply, the motion for leave to conduct discovery and the motion for an evidentiary hearing by September 30, 2024. See Scheduling Order entered October 24, 2019 (ECF No. 88).


On September 27, 2024, the respondents filed a motion for extension of time (ECF No. 212), requesting a 60-day extension, to November 29, 2024. Respondents' counsel states that this extension of time is necessary because of the complexity of this case, their obligations in other cases, and time away from work for medical reasons. Respondents' counsel represents that Byford does not oppose the motion for extension of time.

The Court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for an extension of time. The Court will grant the motion for extension of time.

1 **IT IS THEREFORE ORDERED** that Respondents' Motion for Extension of Time
2 (ECF No. 212) is **GRANTED**. Respondents will have until and including **November 29,**
3 **2024**, to file their responses to Petitioner's reply, motion for leave to conduct discovery
4 and motion for an evidentiary hearing. In all other respects, the schedule for further
5 proceedings set forth in the scheduling order entered October 24, 2019 (ECF No. 88)
6 remains in effect.

7 **IT IS FURTHER ORDERED** that, pursuant to Federal Rule of Civil Procedure
8 25(d), Jeremy Bean is substituted for William Gittere as the respondent warden. The
9 Clerk of the Court is directed to update the docket to reflect this change.

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11 DATED October 2, 2024.

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15 JAMES C. MAHAN
16 UNITED STATES DISTRICT JUDGE
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